

FACT SHEET

The United States Environmental Protection Agency (EPA)
Plans To Reissue A
National Pollutant Discharge Elimination System (NPDES) Permit To:

Paul Housing Authority
140 South 400 West
Rupert, Idaho 83350

Permit Number: ID-002526-7
Public Notice date: March 8, 2001
Public Notice expires: April 9, 2001

EPA Proposes NPDES Permit Reissuance.

EPA proposes to issue an NPDES permit to the Paul Housing Authority. The draft permit places conditions on the discharge of pollutants from the wastewater treatment plant to Lateral 185 which flows into the Minidoka Irrigation Canal. In order to ensure protection of water quality and human health, the permit places limits on the types and amounts of pollutants that can be discharged.

This Fact Sheet includes:

- information on public comment, public hearing, and appeal procedures
- a description of the current discharge and current sewage sludge (biosolids) practices
- a listing proposed effluent limitations, schedules of compliance, and other conditions
- a map and description of the discharge location
- technical material supporting the conditions in the permit

The State of Idaho Proposes Certification.

EPA is requesting that the Idaho Department of Environmental Quality certify the NPDES permit for the Paul Housing Authority, under section 401 of the Clean Water Act.

Public Comment.

Persons wishing to comment on or request a Public Hearing for the draft permit may do so in writing by the expiration date of the Public Notice. A request for a Public Hearing must state the nature of the issues to be raised as well as the requester's name, address and telephone number. All comments and requests for Public Hearings must be in writing and should be submitted to EPA as described in the Public Comments Section of the attached Public Notice.

Persons wishing to comment on State Certification should submit written comments by the Public Notice expiration date to the Idaho Department of Environmental Quality (IDEQ) at the Twin Falls Regional Office, 601 Pole Line Rd., Suite 2, Twin Falls, ID 83301.

After the Public Notice expires, and all comments have been considered, EPA's regional

Director for the Office of Water will make a final decision regarding permit reissuance. If no substantive comments are received, the tentative conditions in the draft permit will become final, and the permit will become effective upon issuance. If comments are received, EPA will address the comments and issue the permit. The permit will become effective 30 days after the issuance date, unless an appeal is submitted to the Environmental Appeals Board within 30 days.

Documents are Available for Review.

The draft NPDES permit and related documents can be reviewed or obtained by visiting or contacting EPA's Regional Office in Seattle between 8:30 a.m. and 4:00 p.m., Monday through Friday (see address below). Draft permits, Fact Sheets, and other information can also be found by visiting the Region 10 website at www.epa.gov/r10earth/offices/water/npdes.htm.

United States Environmental Protection Agency
Region 10
1200 Sixth Avenue, OW-130
Seattle, Washington 98101
(206) 553-2108 or
1-800-424-4372 (within Alaska, Idaho, Oregon and Washington)

The Fact Sheet and draft permit are also available at:

EPA Idaho Operations Office
1435 North Orchard Street
Boise, Idaho 83706
(208) 378-5746

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I. APPLICANT

Paul Housing Authority
NPDES Permit No.: ID-002526-7

Facility Mailing Address:
140 South 400 West
Rupert, Idaho 83350

II. FACILITY INFORMATION

The Paul Housing Authority (Authority) owns and operates a housing facility, with 89 apartments, primarily for migrant farm labor in Rupert, Idaho. Domestic sewage from the facility is treated and discharged to an irrigation canal, Lateral 185, which flows into the Minidoka Irrigation Canal. The Authority only discharges 1-2 times per year, typically in the spring and fall for 7-10 days during each discharge period. During these discharge periods, the average flow is approximately 0.055 million gallons per day (mgd). Treatment of wastewater consists of flow through an aerated pond and then a polishing pond. During the discharge periods, wastewater is pumped from the polishing pond to an ultraviolet disinfection system from which it is discharged to Lateral 185. Sludge is indefinitely stored at the bottom of the ponds - no sludge has been removed from the ponds to date.

The facility has been in operation since 1984. This will be the first NPDES permit issued to the facility. A map has been included in Appendix A which shows the approximate location of the Paul Housing Authority and the discharge location.

III. RECEIVING WATER

A. Receiving Water/Outfall Location

The treated effluent from the facility is discharged from Outfall 001 to Lateral 185 operated by the Minidoka Irrigation District (District). From the discharge point, the Lateral flows several miles to a pond in the town of Paul. The pond overflows into the Minidoka Irrigation Canal (also identified as the "main drain"). Both the Lateral and Minidoka Irrigation Canal primarily receive subsurface water from the perched aquifer in the area, although there is also some inflow from the Snake River. Below Paul, the Minidoka Irrigation Canal flows approximately 5 miles prior to flowing into the Snake River. The amount of flow in Lateral 185 depends upon the irrigation season. By agreement with the District, the Authority notifies the District prior to initiating any discharges. The District then works to maintain between 30-35 cubic feet per second (cfs) flow in Lateral 185 during the discharge period. At 30 cfs (19.4 mgd) Canal flow and 0.055 mgd average discharge flow, the dilution provided by the Canal is more

than 350:1.

B. Water Quality Standards

A State's water quality standards are composed of use classifications, numeric and/or narrative water quality criteria, and an anti-degradation policy. The use classification system designates the beneficial uses (such as cold water biota, contact recreation, etc.) that each water body is expected to achieve. The numeric and/or narrative water quality criteria are the criteria deemed necessary, by the State, to support the beneficial use classification of each water body. The anti-degradation policy represents a three tiered approach to maintain and protect various levels of water quality and uses.

Section IDAPA 16.01.02.101.02., of the Idaho *Water Quality Standards and Wastewater Treatment Requirements* states that man-made waterways are to be protected for the use for which they were developed. Lateral 185 is used for agricultural irrigation while the Minidoka Irrigation Canal is used for agricultural irrigation and industrial water supply.

The Minidoka Irrigation Canal flows into the Burley Bridge to Milner Dam segment of the Lake Walcott Subbasin of the Snake River. This segment is protected for agricultural water supply, warm water biota, and primary contact recreation.

C. Water Quality Limited Segment

A water quality limited segment is any waterbody, or definable portion of a water body, where it is known that water quality does not meet applicable water quality standards, and/or is not expected to meet applicable water quality standards. The Burley Bridge to Milner Dam segment of the Snake River has been listed as a water quality limited segment for nitrogen, sediment, oil and grease, and dissolved oxygen.

Section 303(d) of the Clean Water Act (CWA) requires States to develop a Total Maximum Daily Load (TMDL) management plan for water bodies determined to be water quality limited. A TMDL documents the amount of a pollutant a waterbody can assimilate without violating a state's water quality standards and allocates that load to known point sources and nonpoint sources.

In 1999 and 2000, the Idaho Department of Environmental Quality (IDEQ), Twin Falls Regional Office, prepared *The Lake Walcott Subbasin Assessment and TMDL* (Subbasin Assessment). The Subbasin Assessment specifically addresses sediment and total phosphorous loadings in the Subbasin, including effects from agricultural return discharges. The phosphorous requirements in the Subbasin

Assessment have been approved by EPA, however, the sediment requirements have not received EPA approval. The Subbasin Assessment does not establish wasteload allocations or other requirements applicable the Authority discharge.

IV. EFFLUENT LIMITATIONS

In general, the Clean Water Act requires that the effluent limits for a particular pollutant be the more stringent of either technology-based effluent limits or water quality-based limits. A technology-based effluent limit requires a minimum level of treatment for point sources based on currently available treatment technologies. A water quality-based effluent limit is designed to ensure that the water quality standards of a waterbody are being met.

In this case, water quality standards are not applicable to Lateral 185 or the Minidoka Irrigation Canal. There is the possibility that the discharge could impact the Snake River. However, the facility only discharges during the irrigation season when the dilution ratio is at least 350:1 in Lateral 185. If the effluent were to reach the Snake River, it is not likely to affect water quality because of the relatively large dilution that would occur. Therefore, the proposed permit will require the facility to comply with technology-based effluent limits. For more information on deriving technology-based effluent limits and water quality-based effluent limits see Appendix B.

The following summarizes the effluent limitations that are included in the draft permit.

1. The pH range shall be between 6.0 - 9.0 standard units.
2. 85% Removal Requirements for BOD₅ and TSS: For any month, the monthly average effluent concentrations shall not exceed 15 percent of the monthly average influent concentrations.

TABLE 1: Monthly, Weekly and Daily Effluent Limitations

Parameters	Average Monthly Limit	Average Weekly Limit	Maximum Daily Limit
BOD ₅	30 mg/L (13.8 lbs/day)	45 mg/L (20.6 lbs/day)	---
TSS	30 mg/L (13.8 lbs/day)	45 mg/L (20.6 lbs/day)	---
Fecal Coliform	---	200 colonies/100 ml	---

V. SLUDGE REQUIREMENTS

Currently, sludge from the treatment plant is stored at the bottom of the ponds. The permittee does not anticipate having to remove the sludge from the bottom of the ponds during the term of this permit (five years). Therefore, sludge conditions have not been incorporated into the draft permit.

VI. MONITORING REQUIREMENTS

Section 308 of the Clean Water Act and federal regulation 40 CFR 122.44(i) require that monitoring be included in permits to determine compliance with effluent limitations. Monitoring may also be required to gather data for future effluent limitations or to monitor effluent impacts on receiving water quality. The permittee is responsible for conducting the monitoring and for reporting results on Discharge Monitoring Reports to EPA. Table 2 presents the proposed effluent monitoring requirements based on the minimum sampling necessary to adequately monitor the facility's performance. Total phosphorous monitoring is included in the draft permit to help determine if the discharge could be impacting water quality in the Snake River.

TABLE 2: Treatment Plant Monitoring Requirements

Parameter	Sample Location	Sample Frequency ¹	Sample Type
Flow, mgd	Effluent	Continuous	----
BOD ₅ , mg/L	Influent and Effluent	1/month	8-hour composite
TSS, mg/L	Influent and Effluent	1/month	8-hour composite
pH, standard units	Effluent	1/month	grab
Fecal Coliform, colonies/100 ml	Effluent	5/month	grab
1. Samples shall be collected when discharges are occurring from the treatment plant. During months when there are no discharges at any time during the month, the permittee shall submit DMRs reporting no discharge from Outfall 001.			

VII. OTHER PERMIT CONDITIONS

A. Quality Assurance Plan

The federal regulation at 40 CFR 122.41(e) requires the permittee to develop and submit a Quality Assurance Plan to ensure that the monitoring data submitted is accurate and to explain data anomalies if they occur. The permittee is required to submit a Quality Assurance Plan within 60 days of the effective date of the draft

permit. The Quality Assurance Plan shall consist of standard operating procedures the permittee must follow for collecting, handling, storing and shipping samples, laboratory analysis, and data reporting.

B. Operation and Maintenance Plan

The permit requires the permittee to properly operate and maintain all facilities and systems of treatment and control. Proper operation and maintenance is essential to meeting discharge limits and other permit requirements at all times. In 1998, the permittee had difficulties with the ultraviolet disinfection system that led to fecal coliform levels as high as 1,600 per 100 ml. In addition, the permittee currently does not have a certified wastewater treatment plant operator. Therefore, the permittee is required with 180 days of permit issuance to develop and implement an operation and maintenance plan for the facility. The plan shall be retained on site and made available to EPA and IDEQ upon request.

C. Additional Permit Provisions

Sections II, III, and IV of the draft permit contain standard regulatory language that must be included in all NPDES permits. Because they are regulations, they cannot be challenged in the context of an NPDES permit action. The standard regulatory language covers requirements such as monitoring, recording, reporting requirements, compliance responsibilities, and other general requirements.

VIII. OTHER LEGAL REQUIREMENTS

A. Endangered Species Act

The Endangered Species Act requires federal agencies to consult with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service if their actions could adversely affect any threatened or endangered species. EPA has determined that issuance of this permit will not affect any of the endangered species in the vicinity of the discharge. See Appendix C for further details.

B. State Certification

Section 401 of the Clean Water Act requires EPA to seek state certification before issuing a final permit. As a result of the certification, the state may require more stringent permit conditions or additional monitoring requirements to ensure that the permit complies with water quality standards.

C. Permit Expiration

This permit will expire five years from the effective date of the permit.

APPENDIX A

Facility Location

(On EPA web site, see separate file)

APPENDIX B
Basis for Effluent Limitations

The Paul Housing Authority is a non-municipal discharger referred to as a Treatment Works Treating Domestic Sewage (TWTDS). National performance based effluent limitations for TWTDS discharges have not been promulgated by EPA. In these cases, effluent limitations are developed using Best Professional Judgement (BPJ).

The authority for BPJ is contained in Section 402(a)(1) of the CWA. The NPDES regulations at 40 CFR § 125.3 define what factors must be considered when establishing BPJ-based conditions in a permit. In this case, BPJ-based limits have been incorporated into the draft permit based on the secondary treatment standards for municipal wastewater treatment plants.

Section 301 of the CWA established a required performance level, referred to as “secondary treatment,” that all publicly-owned treatment works (POTWs) were required to meet by July 1, 1977. EPA developed “secondary treatment” regulations which are specified in the 40 CFR 133. These technology-based effluent limits identify the minimum level of effluent quality attainable by secondary treatment in terms of five-day biochemical oxygen demand (BOD₅), total suspended solids (TSS), and pH.

The technology based effluent limits applicable to this facility are as follows:

TABLE 1: Effluent Limitations

Parameters	Average Monthly Limit	Average Weekly Limit	Percent Removal Requirements
BOD ₅	30 mg/L (13.8 lbs/day)	45 mg/L (20.6 lbs/day)	85
TSS	30 mg/L (13.8 lbs/day)	45 mg/L (20.6 lbs/day)	85

1. The pH range shall be between 6.0 - 9.0 standard units.
2. The Idaho *Water Quality Standards and Wastewater Treatment Requirements* (IDAPA16.01.02.420.02.b) require that fecal coliform concentrations in treated effluent not exceed a geometric mean of 200 colonies/100mL based on no more than one week’s data and a minimum of five samples.

APPENDIX C
ENDANGERED SPECIES ACT

Section 7 of the Endangered Species Act (ESA) requires federal agencies to request a consultation with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service regarding potential effects an action may have on listed endangered species.

The U.S. Fish and Wildlife Service identified the gray wolf, bald eagle, Utah valvata snail, Snake River physa snail, Bliss Rapids snail, and Ute ladies'-tresses as federally-listed endangered species. There are no proposed or candidate species in the area of the discharge. The National Oceanic and Atmospheric Administration, National Marine Fisheries Service has not identified any additional listed endangered species within the Snake River basin.

EPA has determined that the requirements contained in the draft permit will not have an impact on the gray wolf. Hunting and habitat destruction are the primary causes of the gray wolf's decline. Issuance of an NPDES permit for the Paul Housing Authority wastewater treatment plant will not result in habitat destruction, nor will it result in changes in population that could result in increased habitat destruction. Furthermore, issuance of this permit will not impact the food sources of the gray wolf. The primary reasons for the decline of the bald eagle are destruction of their habitat and food sources and widespread application of DDT. This draft permit will have no impact on any these issues. Similarly, the primary reasons for the decline of the Ute ladies'-tresses are habitat destruction associated with land development, agricultural, and water system alterations. The permit will have no impact on the Ute ladies' tresses because it does not change existing land uses or modify the species' riparian habitat. The Utah valvata and Snake River physa snails will not be disturbed by this permit since there will be no change in the discharge into the Snake River than has occurred for the past 15 years.